IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

FRIDAY, THE 24TH AUGUST 2007 / 2ND BHADRA 1929

WP(C).No. 25275 of 2007(H)

PETITIONER:

BRAHMAMANGALAM GRAMASWARAJ SERVICE CO-OP.BANK LTD.NO.2966, CHEMPU, VAIKOM, KOTTAYAM, REPRESENTED BY ITS SECRETARY.

BY ADV. SRI.P.P.JACOB
SRI.N.T.SATHYAVAN

RESPONDENTS:
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1. THE DISTRICT COLLECTOR, CIVIL STATION, KOTTAYAM.

2. THE TAHSILDAR, REVENUE RECOVERY, TALUK OFFICE, VAIKOM, KOTTAYAM.

3. M.K. MUHAMMED, S/O. KHADERKUTTY, THATTAMPARAMBIL, CHEMPU, VAIKOM.

4. SATHYAN, S/O. KRISHNAN, KOCHUPARAMBU HOUSE, CHEMPU P.O., VAIKOM,KOTTAYAM.

R1 & R2 BY GOVERNMENT PLEADER (SHRI TEKCHAND)

R4 BY ADV. SRI.N.RAGHURAJ
SMT.K.AMMINIKUTTY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 24/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K. M. JOSEPH, J.

W.P.C. NO. 25275 OF 2007 H

Dated this the 24th August, 2007

JUDGMENT

Petitioner is a Co-operative Bank which is aggrieved by the sale proceedings as evidenced by Ext.P8. Petitioner has preferred Ext.P9 petition purporting to be under Section 72 of the Revenue Recovery Act. Since the petitioner has preferred Ext.P9 purporting to be under Section 72 of the Revenue Recovery Act, I feel that there should be a direction to consider Ext.P9 provided it is pending consideration. Learned counsel for petitioner submits that Ext.P9 was given by hand delivery and also by Registered Post. Accordingly, the Writ Petition is disposed of directing the first respondent to consider and take a decision on Ext.P9 in accordance with law, after affording an opportunity of hearing to the petitioner and respondents 3 and 4, within a period of three weeks from today.

Government Pleader shall communicate this Judgment to the first respondent.

K. M. JOSEPH, JUDGE

kbk.